

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

The specification is amended by the present response to correct minor informalities therein. The changes made to the specification are deemed to be self-evident from the original disclosure, and thus are not deemed to raise any issues of new matter.

Claims 1-10, 12-14, and 17-22 are pending in this application. Claims 11, 15, and 16 are cancelled by the present response without prejudice and new Claims 17-22 are added. No new matter is believed to be added. Claims 11, 15, and 16 were rejected 35 U.S.C. § 101. That rejection is moot in view of the cancellation of those claims without prejudice. Claims 1 and 3-16 were rejected under 35 U.S.C. § 102(b) as anticipated by WO 99/38167 to Kikuchi et al. (hereinafter "Kikuchi") (corresponding to U.S. patent 6,553,180). Claim 2 was rejected under 35 U.S.C. § 103 as unpatentable over Kikuchi further in view of U.S. patent 6,005,679 to Haneda.

Addressing the above-noted prior art rejections, those rejections are traversed by the present response as now discussed.

The independent claims are amended by the present response to clarify features recited therein.

The claims are directed to the recording or reproducing system or method in which two different types of thumbnail pictures are separately generated. One thumbnail picture is representative of contents of moving picture data, i.e. summarizes the moving picture data. That thumbnail is referred to as a menu thumbnail picture as it is mainly used, e.g., in a menu picture to permit a user to select the picture desired to be viewed using a cursor.¹ The other type of thumbnail is a mark thumbnail that can, e.g., represent a scene pointed by a mark.²

¹ See for example the present specification at page 30, lines 12-16.

² See for example the present specification at page 30, line 16.

As also shown for example in Figures 17 and 18 in the present specification two different thumbnails, both a menu and a mark thumbnail, are separately generated and then recorded as independent groups on a recording medium.

The features recited in each of the independent claims are believed to clearly distinguish over the applied art to Kikuchi, and further in view of Haneda.

The outstanding Office Action with respect to the above-noted features cites Kikuchi to disclose first thumbnail data as generated by the thumbnail video encoder 58 in Figure 40 and citing Kikuchi at column 35, lines 50-54 and column 37, lines 43-46.³ With respect to the second thumbnail data the outstanding Office Action cites Kikuchi at Figure 36 and also at column 35, lines 50-54 and column 37, lines 43-46.⁴

In reply to those positions for the rejection, applicants submit Kikuchi does not at any point disclose or suggest generating two different types of thumbnails. Kikuchi merely discloses a single thumbnail video encoder 58 and the cited portions of Kikuchi at column 35, lines 50-54 and column 37, lines 43-46 merely refer to a single type of thumbnail generated by the thumbnail video encoder. Kikuchi clearly does not disclose or suggest generating two different thumbnails such as a menu thumbnail and a mark thumbnail.

Thereby, each of the independent claims is believed to clearly distinguish over Kikuchi.

Applicants also draw attention to dependent claim 2 that recites "wherein said generating means generates said first and second thumbnail data as respective independent files". To address those features the outstanding Office Action cites Kikuchi in view of Haneda. However, Haneda is not at all directed to those claimed features. That is, Haneda is not directed to generating first and second different thumbnail data as independent files. Haneda discloses at the cited column 11, lines 14-16 dividing a photographic field into a

³ Office Action of November 24, 2006, middle of page 3.

⁴ Office Action of November 24, 2006 also the middle of page 3.

plurality of image blocks, and discloses at cited column 18, lines 54-61 that image files can be classified according to a prescribed album format and that so-called thumbnail files can be generated. However, Haneda does not disclose or suggest that first and second different thumbnail data are generated as respective independent files. Thereby, dependent Claim 2 even further distinguishes over the applied art.

The present response also adds new dependent Claims 17-22 for examination. Those claims further recite that “said menu thumbnail picture is representative of contents of a playlist in the moving picture data, and said mark thumbnail picture is used in a submenu for representing details of the playlist”. That subject matter is supported by the original specification for example at page 30, line 17 and at page 31, lines 11-18.

New dependent Claims 17-22 even further clarify distinctions between the menu thumbnail and the mark thumbnail. The menu thumbnail represents contents of a playlist in the moving picture data, whereas the mark thumbnail is used in the submenu for representing details of the playlist. Such features further distinguish over the applied art. Thereby, new dependent Claims 17-22 are further allowable.

In view of the present response applicants respectfully submit the claims as written distinguish over the applied art.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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